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MINUTES ARCHITECTURAL REVIEW BOARD

September 13, 2010

7:30 P.M.

City Hall, Council Chambers
Fredericksburg, Virginia

MEMBERS

Owen Lindauer, Acting Chair
Marilynn Mendell
J. Gordon Brown
Jamie Scully
Donna Chasen

MEMBERS ABSENT

Robin Wood, Chair
Lisa Peverill, Vice Chair

CITY STAFF

Erik Nelson, Senior Planner
Sheree Waddy, Recording Secretary

Mr. Lindauer called the Architectural Review Board to order at 7:30 p.m.

OPENING REMARKS

Mr. Lindauer determined that a quorum was present. Mr. Lindauer explained that because both the Chair, Robin Wood and Vice Chair, Lisa Peverill, were not present staff had asked him to act as Chair for the this meeting. Mr. Nelson stated that public notice requirements had been met.

APPROVAL OF AGENDA

Mr. Lindauer announced that there was a Consent Agenda to consider that included Items 1, 2, 3 and 5. He asked the Board if there were any items listed on the Consent Agenda that should be moved to the Regular Agenda.

Ms. Mendell asked that Item 3 be moved to the regular agenda.

Mr. Scully asked that Item 5 be moved to the regular agenda.

Mr. Lindauer asked if anyone in attendance wanted to provide public testimony on any remaining item on the Consent Agenda.

James Lawrence, 802 Caroline Street, said he would like to provide public testimony on Items 1 and 2.

Mr. Lindauer said that the Consent Agenda would be removed from the agenda.

Mr. Lindauer asked if there were any other changes to the agenda.

Mr. Nelson asked to add that under Other Business, Item 3 – Consideration of a Special Election.

Ms. Chasen made a motion to accept the agenda as amended. Mr. Scully seconded. The motion carried unanimously.

REVIEW OF MINUTES

Mr. Lindauer asked if there were any changes to the August 9 and August 23, 2010 meeting minutes.

Ms. Chasen made a motion to accept the minutes for August 9th and 23rd as submitted. Ms. Mendell seconded. The motion carried unanimously.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Mr. Lindauer asked if any board member had a conflict of interest or had participated in ex parte communications on any of the agenda items.

Mr. Brown said that he knows the applicant for Item 5 and planned to recuse himself.

Ms. Mendell said she had spoken with Andy Lynn, Becky Sperlazza, Patsy Thompson, and Mayor Tomzak concerning Item 6.

APPLICATIONS – REGULAR AGENDA

1. 528 Caroline Street (C.P. Leopold) - Sign

The applicant was represented by Bonnie De Lelys, Manager of the Richard Johnson Inn Bed and Breakfast, 711 Caroline Street.

James Lawrence, 802 Caroline Street, said he did not understand the photo in the staff memo.

Ms. Chasen said she found the proposed sign to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness. Mr. Brown seconded. The motion carried unanimously.

2. 1006-C/D Caroline Street (Joy Crump) - Sign

The applicant was present.

James Lawrence, 802 Caroline Street, said he thought the packet looked incomplete.

Mr. Scully asked for clarification about which bracket would be used.

Mr. Nelson said that the applicant planned to use the existing bracket if it could support the proposed sign.

Ms. Crump said the existing bracket was tested and she planned to use it.

Ms. Chasen said she found the proposed sign to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness. Ms. Mendell seconded. The motion carried unanimously.

3. 1017 Sophia Street (William Kelley) – Sign and enclosure

The applicant was not present.

James Lawrence, 802 Caroline Street, made comments unrelated to the application.

Mr. Mendell questioned why the sign was already in place.

Mr. Nelson said that the City Code allowed the temporary approval of signs. He explained that the signs are presented as proposed because they have not been approved by the Board. He said the applicants are aware of the risk that the Board may deny their application and the signs would then have to be removed.

Ms. Mendell said that the application was not clear concerning the proposed enclosure. She asked if it would extend beyond the concrete pad.

Mr. Nelson said that the enclosure would not extend beyond the concrete pad.

Mr. Brown said he agreed there was very little information provided concerning the enclosure, although he agreed that being in the rear of the building it had little impact on the public view.

Mr. Nelson said the intent was to build a straight cement block wall.

Mr. Brown said it looks like a block wall enhanced with graphics that steps down. He asked if it would have gates and openings.

Mr. Nelson said no.

Mr. Scully clarified that the proposed enclosure was not actually enclosing anything. He said it would be a screening wall used to screen a 13 foot long loading area.

Mr. Brown and Ms. Mendell said that the discussion cleared up their concerns.

Mr. Scully said he found the sign and enclosure to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness. Ms. Chasen seconded. The motion carried unanimously.

4. 1205 Prince Edward Street (F. Coleman and Linda Starnes) – Fence

The applicant, Linda Starnes, was present and presented a picture of her yard for the Board's review. Ms. Starnes explained that her goal was to have a more cohesive look to her property. She said that due to the cost they planned to do the work in stages.

Gail Braxton, 1204 Charles Street, said her house backs to the applicant's rear yard and has the six foot nine inch brick wall between them. She suggested that the brick wall would be less jarring if Ms. Starnes lowered it to six feet. As the Director of the Mary Washington House Branch of Preservation Virginia, Ms. Braxton said that Mary Washington House maintains that a visible brick wall would detract from their viewshed and that a natural privacy hedge would be more appropriate.

James Lawrence, 802 Caroline Street, made several comments unrelated to the application.

Ms. Chasen said that she could not approve a cement block wall facing Mary Washington House. She said that the wood fence could possibly come down and then the cement block wall facing Mary Washington House would be quite visible, which would not be in keeping with the historic setting.

Ms. Mendell said she agreed with Ms. Chasen. She added that in her view the bad side of the fence should always face the fence owner's own property.

Mr. Scully restated that the concern was that the Mary Washington House wood fence could be removed in the future. He added that he could not approve the proposed rear or front walls, but he did approve the proposed side wall.

Mr. Brown asked when the existing rear brick wall was constructed. He also asked how much space would be between the proposed brick wall extension and the wood fence.

Ms. Starnes said the existing wall was built around 1975. She said there would be approximately one foot between them.

Mr. Brown asked if one foot would be enough room to allow maintenance or repair of the wall or fence.

Ms. Braxton said that when Mary Washington House decided to build the wood fence they came in one foot off the corner of the brick wall line. She said if the proposed brick wall was extended in a straight line there would be only a matter of a few inches between the wood fence and the proposed wall.

Ms. Chasen said she was concerned that weeds and animals could become a problem in a space that small.

Ms. Starnes said that she hoped the Board would consider that like Mary Washington House she would like to have a consistent fence in her backyard too.

Mr. Lindauer said that Section 78-760, the standards for approval of new structures, applied best to this application. He said that the ARB's charge is historic preservation, not style or color. He said that the height, spacing, materials, issues of continuity, and appropriateness to its historic setting were all issues that should be considered. He said he was concerned about the differential in height of the proposed wall in relation to the existing fence. Mr. Lindauer said that spacing was also an issue because without proper circulation the closeness of the two fences could cause

a drainage problem. He questioned the appropriateness of mixing materials (cement block and brick).

Mr. Scully said that the proposed front wall did not fit the context of the streetscape.

Ms. Chasen said she found the side yard wall to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness, the rear and front yard walls to be tabled for additional information. Mr. Scully seconded.

Mr. Brown asked what height the side wall would be.

Mr. Scully said the height would be as requested in the application, five feet high by eight inches wide.

Mr. Nelson asked the Board what additional information they wanted for the tabled items.

Ms. Mendell said the drawing did not show the relationship between the applicant's property and the Mary Washington House fence, or the use of cement block.

Mr. Nelson said the Board could address those items by specifying the distance and material.

Ms. Mendell said that it would become an issue of continuity. If a portion of the wall is brought forward a foot it will create a jag in the wall. She asked if the boxwoods would be taken out to accommodate that offset.

Mr. Lindauer asked Ms. Starnes to clarify whether any of the plants along the back wall would be removed if the wall was offset by 12 inches.

Ms. Starnes said when Mary Washington House constructed their fence it was agreed that they would leave enough room to extend the brick wall behind her house.

Mr. Lindauer clarified that there was enough room to extend the wall without removing any plants and that Ms. Starnes was willing to adjust the material to all brick.

Ms. Chasen said she was concerned about the maintenance of the wooden fence. She said the staff report said that fences are generally not constructed adjacent to each other.

Mr. Nelson asked what distance would be acceptable with to the Board.

Mr. Scully asked if the Code provided a minimum distance between fences.

Mr. Nelson said no.

Mr. Brown suggested that the applicant and Mary Washington House meet to discuss a compromise.

The applicant agreed this was a good idea.

Mr. Lindauer called for the vote. The motion carried unanimously.

5. 1204 Princess Anne Street (Holly Dunwoody) – Awning/sign

The applicant was present.

James Lawrence, 802 Caroline Street, thanked applicant for being present.

Mr. Brown recused himself due to his association with the applicant.

Ms. Chasen asked if other businesses were located in the building.

Ms. Dunwoody said there was space for another business in the rear of the building.

Mr. Scully asked if the front door was a shared entrance.

Ms. Dunwoody said no, each business had its own entry.

Ms. Chasen said she found the awning and sign to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness.

Mr. Scully asked for clarification on how the awning would be mounted.

Ms. Dunwoody said the awning would be mounted on the beam, but centered on the columns, using Z brackets.

Mr. Scully seconded and asked to amend the motion to add that the mounting hardware be mounted only to the beam above the entry.

Ms. Chasen accepted the amendment. The motion carried, 3-1-1 with Ms. Mendell opposed and Mr. Brown abstaining.

6. 907 Princess Anne Street (Rappahannock Rotary) – Clock

The application was represented by David Pierce and Dr. Sam Smart of the Rotary Club. Mr. Pierce said that the Club had previously worked with the City on the Hurkamp Park brick wall and would now like to mark the occasion of their 25th anniversary by presenting the City with a clock.

James Lawrence, 802 Caroline Street, said he liked the clock.

Ms. Mendell stated that she had spoken with members of the Rotary Club, Patsy Thompson, Betsy Sperlazza, and Andy Lynn. She said in speaking with them she found out that Mr. Nelson had given the club permission to order the clock. She said that in speaking with Mayor Tomzak he said that he did not believe Mr. Nelson gave them permission, or had the authority to give permission. Ms. Mendell said she was frustrated about applications that come before the Board

that have already been completed. She said she would like some clarification on the sequence of events on the clock.

Mr. Pierce said they received a substantial discount on the clock and made a deposit with the intent to present it as a gift to the City. He said if the ARB did not approve the location for the clock they would find another location in the City.

Ms. Mendell asked if anyone on the Board or the City staff had given the Rotary permission to order the clock.

Dr. Smart stated they did not need anyone's permission to order the clock.

Mr. Pierce said they did not ask permission. He said that the club decided they wanted to do something for the City in conjunction with their 25th anniversary and with the City's theme of Fredericksburg Timeless. The club decided to buy the clock because they got a substantial discount and it fit the City's theme. There was no discussion with City staff concerning this purchase. The discussions with City staff took place when they were trying to decide on a location for the clock.

Mr. Lindauer said he appreciated that the Rotary Club brought the concept of the clock and its placement to the Board for review.

Mr. Pierce said the rendering of the clock in green and gold was provided by the manufacturer. The actual clock is black with a gold rim around the face of the clock.

Mr. Lindauer clarified that the proposed clock will be black with a ring around each finial.

Mr. Pierce said there would also be a plaque at the base stating the clock was a gift from the Rotary Club.

Mr. Scully asked if the Rotary had spoken with any City staff other than Mr. Nelson.

Mr. Pierce said they initially spoke with Robert Antozzi, Director of Parks and Recreation and Public Facilities, and they were later referred to Mr. Nelson.

Mr. Scully thanked the club for their gift and for taking the Board's comments into consideration.

Ms. Mendell asked if the clock would be below the City sign.

Mr. Nelson said it will not be totally below the sign, but it will not obscure any of the lettering on the sign or interfere with the traffic instructions.

Ms. Mendell asked if the clock was smaller than what was shown in the drawings.

Mr. Pierce said that the 16x16 pattern shown was the bolt pattern. He said the clock would be mounted on four foot deep concrete base, topped with brick to match the sidewalk.

Mr. Lindauer said that he used the standards for signs, Section 78-762, to review this application. He said because the clock would be mounted on a four foot deep base there was a possibility of finding archaeological remains and if that should happen they should contact Mr. Nelson. Using the standards for signs Mr. Lindauer said that his only concern was whether the clock fit in its setting. He said he was not sure someone looking at the clock would read it as a gift from 2010.

Mr. Brown asked if other locations were ever discussed.

Mr. Pierce said that the club's membership had discussed other locations.

Dr. Smart said the City suggested the museum.

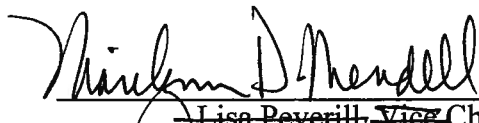
Mr. Nelson said the location of the clock was an internal discussion between City staff.

Mr. Scully said he found the clock to be architecturally compatible with the historic aspects of the Historic District and made a motion to grant a Certificate of Appropriateness. Ms. Chasen seconded. The motion carried 3-2 with Mr. Brown and Ms. Mendell opposed.

OTHER BUSINESS

1. Planning Commission agenda – Mr. Nelson transmitted the agenda.
2. Scheduling supplemental meeting – Mr. Nelson said that a distributor for a new sustainable product would like to make a presentation to the Board. The Board agreed to meet on October 25.
3. Special election – Mr. Nelson explained that due to health reason Ms. Wood would be resigning from the Board. He suggested that the Board schedule a special election to elect a new Chair since the Vice Chair would also not be available for a few months. The Board agreed to have a special election at their next regular meeting.

The meeting adjourned at 9:30 p.m.



~~Lisa Peverill, Vice Chair~~
MARILYN MENDELL